

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ENTRETELAS AMERICANAS S.A.,

Plaintiffs,

-against-

RAFAEL IGNACIO SOLER,

Defendant.

Index No. 19-03658 (LK) (RWL)

**NOTICE OF MOTION TO DISMISS
PURSUANT TO FRCP 12(b)(1) AND (6)**

PLEASE TAKE NOTICE that Defendant Rafael Ignacio Soler (“Defendant”), upon the accompanying Memorandum of Law, the Declaration of Richard W. Trotter, executed on September 13, 2019, and upon all prior pleadings and proceedings in this action, hereby moves this Court, pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6), for an Order dismissing the Complaint dated May 15, 2019 and filed by Plaintiff Entretelas Americanas S.A. (“Plaintiff”) against Defendant with prejudice. This motion is made following the conference of counsel, which took place before the Court at the pre-motion conference held on June 19, 2019 at 3:30 p.m. During the conference, and in its response to Defendant’s pre-motion letter, Plaintiff declined an opportunity to amend its Complaint.

PLEASE TAKE FURTHER NOTICE that, pursuant to the so-ordering of Defendant’s July 22, 2019 letter requesting an adjournment, Plaintiff’s opposition to the motion is due on or before October 14, 2019.

Dated: New York, New York
September 13, 2019

TANNENBAUM HELPERN SYRACUSE
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By: /s/ Vincent J. Syracuse

Vincent J. Syracuse

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